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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: **Mail Stop RCE**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application No.	09/935,487
Filing Date	August 23, 2001
First Named Inventor	Rioux
Group Art Unit	3738
Examiner Name	B. Pellegrino
Attorney Docket No.	BSC-187

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

FEE AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

a. ☒ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on **March 24, 2004** (Copy enclosed).
b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
c. ☐ Amendment/Response enclosed.
d. ☐ Affidavit(s)/Declaration(s) enclosed.
e. ☐ Information Disclosure Statement (IDS) enclosed.
 i. ☐ PTO-1449
 ii. ☐ Copies of IDS Citations
f. ☐ Other _____

2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

a. ☐ Small entity status
 i. ☐ was established in the prior nonprovisional application.
 ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
b. ☒ A Petition and Fee of $110.00 for Extension of Time for 1 month up to and including May 26, 2004 is enclosed herewith.
c. ☒ A check in the amount of $880.00 (includes the $770.00 RCE fee and the $110.00 fee for a one month extension of time) is enclosed.
d. ☐ The Commissioner is hereby authorized to charge the required fee(s), i.e., ____, to Deposit Account No. 20-0531.
e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

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3. MISCELLANEOUS

a. ☒ Return Receipt Postcard enclosed.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted, Date: May 26, 2004 Reg. No. 42,545 Tel. No.: (617) 248-7675 Fax No.: (617) 248-7100 John V. Forcier Attorney for the Applicants Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110

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